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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,427	02/27/2004	Paul Alistair Thomas	684-011708-US (PAR)	6990

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FAIRFIELD, CT 06824

EXAMINER

LA, NICHOLAS T

ART UNIT PAPER NUMBER

2617

DATE MAILED: 07/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/788,427

Applicant(s)

THOMAS ET AL.

Examiner

Nicholas T. La

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

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### **DETAILED ACTION**

The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/20/2006 has been entered.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**1) Claims 1, 4-6, 9-11, 14-16** are rejected under 35 USC 102(e) as being unpatentable over Sun (U.S. Pub. No. 2003/0153349).

Regarding **claims 1, 6, 11**, Sun teaches a communication device comprising a keymat (Figure 1a, element 126), a cover (Figure 1a, element 110), and a substrate comprising a plurality of key switches (see Abstract; paragraph [0030]). The keymat comprises a plurality of lips located at and extending outward from edges of said keymat toward a rim of the cover (Figure 4c, lips, element 124, extending outwardly from edges of keymat as shown in figure 4c toward the rim of the housing), and the cover comprises a plurality of indentations (Figure 4c, element 114) to receive plurality of said lips, wherein the lips attach the edges of the keymat to the cover (Figure 4c; paragraph [0029], [0032]) and said indentations are located at edges of a recess for removably mounting said keymat (Figure 4c, element 114; paragraph [0029], [0032], [0034]).

Regarding **claims 4, 5, 9, 10, 14, 15**, Sun further teaches a communication device wherein said keymat comprises one or more guiding recesses, and said cover comprises one or more corresponding guiding pieces (Figures 1a, 2a, 3a, 4a; paragraph [0029], [0032]; rib, i.e., engaging member 113).

Regarding **claim 16**, Sun further teaches a communication device wherein said keymat is being molded in one piece (Figure 1a, 2a, 3a, 4a).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**2) Claims 2-3, 7-8, 12-13** are rejected under 35 USC 103(a) as being unpatentable over Sun (U.S. Pub. No. 2003/0153349) and further in view of Kfoury et al. (U.S. Pub. No. 2003/0119543).

Regarding **claims 2, 7, 12**, Sun further teaches communication device wherein said keymat comprises one or more guiding slots and said cover comprises one or more corresponding engaging member pieces (Figure 1a, element 113, 123). Furthermore, Sun teaches that various changes and modification can be made without departing from the spirit and scope of his/her invention. However, Sun does not expressly teach said keymat comprises one or more guiding pieces and said cover comprises one or more corresponding guiding recesses. In an analogous art, Kfoury et al. teaches said keymat comprises one or more guiding pieces and said cover comprises one or more corresponding guiding recesses (Figure 4, 5; paragraph [0032]-[0033]). Therefore, it

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would have been obvious to one ordinary skill in the art at the time of the invention was made to modify Sun communication device to include said keymat comprises one or more guiding pieces and said cover comprises one or more corresponding guiding recesses such as taught by Kfoury et al. as an alternative for the same purpose of aligning the interchange-able the process of attaching, connecting, or securing said keymat to said cover.

Regarding **claims 3, 13**, Kfoury further teaches said guiding pieces that are arranged in direct connection to one or more of said plurality of lips (Figures 4, 5).

Regarding **claim 8**, Kfoury et al. further teaches a cover wherein said one or more guiding recesses are arranged in direct connection to one or more of said plurality of indentations (Figure 4, 5).

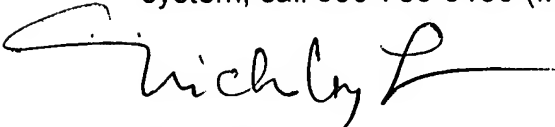
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas T. La whose telephone number is (571)-272-8075. The examiner can normally be reached on Mon-Fri 8:30-5:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571)-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Nicholas La  
06/29/2006  
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NICK CORSARO  
PRIMARY EXAMINER